

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

Sheila K. Ben, Esq., as Court Appointed Guardian of the  
Property of JANE DOE, (an infant proceeding under an  
assumed name), an Infant under the Age of 14,

*Plaintiff,*

vs.

THE UNITED STATES OF AMERICA,

*Defendants.*

CASE NO. 5:14-CV-0370 (CJS)  
**Action No. 1**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

SUSAN DOE, (a Guardian and Executrix proceeding  
Under an assumed name) as Executrix of the Estate of  
Lori A. Bresnahan, Decedent,

*Plaintiff,*

vs.

THE UNITED STATES OF AMERICA,

*Defendants.*

CASE NO. 5:14-CV-509 (CJS)  
**Action No. 2**

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that Plaintiff, Susan Doe, as the Executrix of the Estate of Lori A. Bresnahan, Decedent, by and through her attorneys, Michelle Rudderow of Williams & Rudderow, PLLC, and Plaintiff Sheila Ben, as the Guardian of the Property of Jane Doe, by and through her attorneys John C. Cherundolo & the Cherundolo Law Firm, respectfully move this Court for an order: (i) approving Plaintiff's Joint Motion for the settlement and dismissal of the above-captioned matter against the Defendant, the United States of America pursuant to NY EPTL §5-4.6(b) and NY CPLR §§1207 and 1208; and (ii) for such other and further relief as the Court may deem just or proper. Plaintiff's motion is supported by the accompanying Attorney Declaration of Michelle Rudderow, together with attached exhibits, Declaration of Plaintiff,

Susan Doe, Declaration of John C. Cherundolo, with exhibits, and Declaration of Sheila Ben, Esq., and a Proposed Order.

**PLEASE TAKE NOTICE THAT** the motion will be heard at the United States Courthouse located at 100 State Street, *Rochester, New York* 14614 at a date and time to be set by the Court.

**PLEASE TAKE FURTHER NOTICE THAT** plaintiffs intend to serve and file reply papers and, therefore, any papers in opposition to this motion are due upon the briefing schedule to be issued by the Court.

Dated: November 26, 2018

Respectfully submitted,

**WILLIAMS & RUDDEROW, PLLC**

By: /s/ Michelle Rudderow  
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